

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAISHA HAYWOOD; NICOLE HAYWOOD;
LAVAUGHN HAYWOOD,

Plaintiffs,

-against-

ANDRE BAKERS FUNERAL HOME;
KAREN BAKER; ANDRE F. BAKER,

Defendants.

24-CV-4275 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated July 17, 2024, the Court directed Plaintiffs Taisha Haywood and Lavaughn Haywood, within 30 days, to (1) submit a completed request to proceed *in forma pauperis* or pay the \$405.00 in fees required to file a civil action in this court; and (2) resubmit the signature page of the complaint with both of their signatures. That order specified that failure to comply would result in dismissal of their claims. Plaintiffs Taisha and Lavaughn Haywood have not complied with the July 17, 2024 order. Accordingly, the Court dismisses their claims without prejudice. *See* 28 U.S.C. §§ 1914, 1915; Fed. R. Civ. P. 11(a).

By letter dated July 10, 2024, Plaintiff Nicole Haywood informed the Court that she and Defendants are negotiating a settlement. (ECF 5.) In the Court's July 17, 2024, the Court directed Plaintiffs to inform the Court whether they intended to proceed with this matter. The Court notified Plaintiffs that if they did not respond to the Court's order, the action would be dismissed without prejudice. No party to this action has responded to the Court's July 17, 2024 order. The Court therefore dismisses the claims brought by Nicole Haywood, without prejudice, for failure to comply with the Court's order. *See* Fed. R. Civ. P. 41(b).

CONCLUSION

The Court dismisses the claims brought by Plaintiffs Taisha Haywood and Lavaughn Haywood without prejudice. *See* 28 U.S.C. §§ 1914, 1915; Fed. R. Civ. P. 11(a). The Court also dismisses the claims brought by Nicole Haywood, without prejudice, for failure to comply with the Court's July 17, 2024 order. *See* Fed. R. Civ. P. 41(b).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: October 22, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge